

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**APEX-MICRO MANUFACTURING  
CORPORATION,**

Plaintiff,

v.

**LATTICE SEMICONDUCTOR  
CORPORATION,**

Defendant.

Case No. 3:19-cv-86-SI

**VERDICT**

In this lawsuit between Plaintiff Apex-Micro Manufacturing Corporation (“Apex”) and Defendant Lattice Semiconductor Corporation (“Lattice”), we, the Jury, being duly empaneled and sworn, do unanimously find as follows:

1. **Has Apex proven by a preponderance of the evidence each element of its breach of contract claim against Lattice (breach of the contractual duty of good faith)?**

Yes \_\_\_\_\_ No   X  

*If the answer to Question 1 is “Yes,” go to Question 2. If the answer to Question 1 is “No,” skip Question 2 and go to Question 3.*

2. Has Apex proven by clear and convincing evidence that Lattice engaged in fraudulent concealment such that the running of the statute of limitations on Apex's claim of breach of contract has been tolled?

Yes \_\_\_\_\_ No \_\_\_\_\_

*Go to Question 3.*

3. Has Apex proven by clear and convincing evidence each element of its claim of fraud against Lattice?

Yes \_\_\_\_\_ No X \_\_\_\_\_

*If the answer to Question 3 is "Yes," go to Question 4. If the answer to Question 3 is "No," skip Question 4 and go to the next italicized instruction after Question 4.*

4. Has Lattice proven by a preponderance of the evidence each element of its affirmative defense of statute of limitations against Apex's claim of fraud?

Yes \_\_\_\_\_ No \_\_\_\_\_

*If the answer to Question 2 is "Yes," or the answer to Question 4 is "No," (or both), go to Question 5. Otherwise, your deliberations are done. Do not answer any more questions. Please have the presiding juror date and sign this form and inform the Courtroom Deputy that you are ready to return to the Courtroom.*

5. Has Lattice proven by a preponderance of the evidence each element of its affirmative defense of "in pari delicto"? (This defense applies to both Apex's contract claim and its fraud claim.)

Yes \_\_\_\_\_ No \_\_\_\_\_

*If the answer to Question 5 is "No," go to Question 6. If the answer to Question 5 is "Yes," your deliberations are done. Do not answer any more questions. Please have the presiding juror date and sign this form and inform the Courtroom Deputy that you are ready to return to the Courtroom.*

6. What amount of actual damages, if any, has Apex proven by a preponderance of the evidence should be recovered against Lattice?

\$ \_\_\_\_\_

*If the answer to Question 6 is greater than zero and the answer to Question 4 is "No," go to Question 7. If you have not reached Question 4, or if the answer to Question 4 is "Yes," or if the answer to Question 6 is zero, your deliberations are done. Do not answer Question 7, and please have the presiding juror date and sign this form and inform the Courtroom Deputy that you are ready to return to the Courtroom.*

- 7. Has Apex proven by clear and convincing evidence that it should recover punitive damages against Lattice?**

Yes \_\_\_\_\_ No \_\_\_\_\_

*If the answer to Question 7 is "Yes," go to Question 8. If the answer to Question 7 is "No," your deliberations are done. Do not answer any more questions. Please have the presiding juror date and sign this form and inform the Courtroom Deputy that you are ready to return to the Courtroom.*

- 8. What amount of punitive damages should be awarded to Apex against Lattice?**

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*Your deliberations are done. Please have the presiding juror date and sign this form and inform the Courtroom Deputy that you are ready to return to the Courtroom.*

DATED this 15<sup>th</sup> day of February, 2024.